

MARK E. MILLER (S.B. # 130200) markmiller@omm.com  
ANNE E. HUFFSMITH (S.B. # 236438) ahuffsmith@omm.com  
SARA E. JERUSS (S.B. # # 258716) sjeruss@omm.com  
O'MELVENY & MYERS LLP  
Two Embarcadero Center, 28th Floor  
San Francisco, California 94111-3823  
Telephone: 415.984.8700  
Facsimile: 415.984.8701

Attorneys for Defendant and Counterclaimant  
ADVANCED MICRO DEVICES, INC.

David N. Kuhn (State Bar #73389)  
Attorney-at-Law  
144 Hagar Avenue  
Piedmont, CA 94611  
Telephone: (510) 653-4983  
E-mail: dnkuhn@pacbell.net

Attorney for Plaintiff and Counterdefendant  
GREGORY BENDER

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

GREGORY BENDER,  
  
Plaintiff and  
Counterdefendant,  
  
v.  
  
ADVANCED MICRO DEVICES, INC.,  
  
Defendant and  
Counterclaimant.

Case No. C09-01149 MMC (EMC)

**STIPULATION AND [PROPOSED]  
ORDER**

WHEREAS the hearing on Advanced Micro Devices, Inc.'s ("AMD's") Renewed Motion to Strike Infringement Contentions ("Motion") is currently set for June 23, 2010 at 3:00 PM;

WHEREAS the parties have reached a tentative settlement agreement;

WHEREAS the parties need additional time to finalize their settlement agreement and file

1 the requisite documents with the Court;

2 WHEREAS counsel for AMD contacted the Court regarding continuing the hearing on  
3 AMD's Motion and the Court advised counsel for AMD to file with the Court the present  
4 stipulation;

5 THEREFORE, the parties hereby STIPULATE and AGREE that the hearing on AMD's  
6 Motion shall be continued until August 25, 2010, to allow the parties time to finalize their  
7 settlement agreement and file the requisite documents with the Court.

8  
9 Respectfully submitted,

10 Dated: June 23, 2010

By: /s/ Mark E. Miller

Mark E. Miller  
O'Melveny & Myers LLP  
Counsel for Defendant  
ADVANCED MICRO DEVICES, INC.

11  
12  
13  
14 Dated: June 23, 2010

By: /s/ David N. Kuhn

David N. Kuhn  
Attorney-at-Law  
Counsel for Plaintiff GREGORY BENDER

15  
16  
17 Pursuant to General Order No. 45 X(B), I hereby attest that concurrence in the filing of  
18 this document has been obtained from each of the above-listed signatories.

19 Respectfully submitted,

20 Dated: June 23, 2010

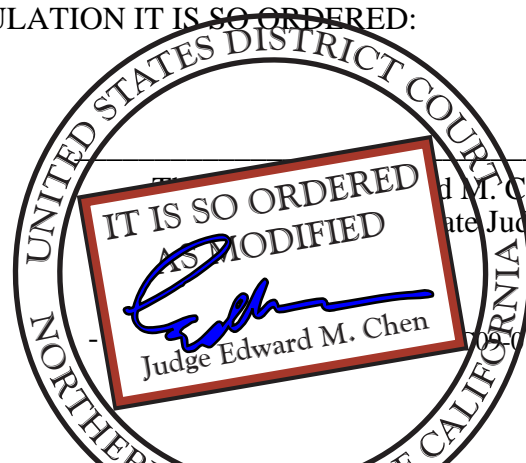
By: /s/ Mark E. Miller

Mark E. Miller  
O'Melveny & Myers LLP  
Counsel for Defendant  
ADVANCED MICRO DEVICES, INC.

21  
22  
23  
24 PURSUANT TO STIPULATION IT IS SO ORDERED:

25  
26 Dated: 6/23/10

27  
28 STIPULATION AND [PROPOSED] ORDER



Edward M. Chen  
Judge

Case 3:09-cv-01149 MMC (EMC)